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(For one year to fill an unexpired term.)

Henry C. Trumbull.

Dr. I. Minis Hays read a "Note on Penn's Commission for the Government of Pennsylvania during his Visit to England in 1684."

Dr. I. Minis Hays was nominated for Librarian for the ensuing year.

The Society was adjourned by the presiding officer.

A NOTE ON WILLIAM PENN'S COMMISSION FOR THE
GOVERNMENT OF PENNSYLVANIA DURING
HIS FIRST VISIT TO ENGLAND IN 1684.

(Plates I and II.)

BY I. MINIS HAYS, M.D.

(Read January 6, 1899.)

On March 4, 1681, Charles II granted a charter, in which he made William Penn full and absolute Proprietor of that dominion which is now called Pennsylvania, and invested him with the powers of government of the same. Penn sailed for America on the 6th of August of the following year and landed at New Castle, on the Delaware, on October 24. He at once set about establishing his government and aiding the Quakers, who had emigrated under his auspices, in regulating their affairs in the colony, until in 1684 the dispute between Lord Baltimore and himself concerning the boundary of their respective provinces and the critical condition into which other of his important affairs had been thrown by his enemies

during his absence in America rendered his presence in England necessary.

He therefore departed for home in June, 1684, but before so doing it was necessary to provide for the government of his province in his absence, and to this end, he executed a commission on the same day that he set sail, lodging in the hands of the Provincial Council the powers of government vested in him, and he appointed Thomas Lloyd, who also held a commission to keep the great seal, its President.¹

In the Minutes of the Provincial Council it is stated that "at a Councill held at New Castle the 18th of y^e 6th Month 1684 a commission from y^e Gov^r was read, Impowring the Prov^{ll} Councill to act in the Governm^t in his Stead, Ths. Lloyd being Presid^t of y^e same."²

In the Minutes of 31st of January, 1686, P.M., it is also stated that

"The commission from y^e Gov^r to y^e Prov^{ll} Councill Impowring them to act in his stead, with y^e memorandum on the back side thereof was Read."³

Neither the text of this commission, nor the important memorandum on the back is given, nor, so far as I can learn, have they ever appeared in print. I have been so fortunate, however, as to find the original document among some unarranged papers in the possession of this Society, and it bears no marks upon it to show that it was ever recorded. It seems, therefore, desirable that the text of this important document should now be made available to students of the history of this Commonwealth, as well as the memorandum on its back, which is referred to in the second record in the Minutes of the Provincial Council, which was executed on the same day on board the Ketch Endeavour just as Penn was about to sail for home, and which very materially restricted the large powers he had just previously on the same day granted in the original instrument. It constitutes another example of what has frequently been observed, that man's first impulses are more generous than his second thoughts.

The following is the text of the commission :

¹ Minutes of the Provincial Council of Pennsylvania. Published by the State, Vol. i, p. 66. Harrisburgh, 1838.

² *Ibid.*

³ *Ibid.*, p. 120.

“ WILLIAM PENN PROPRIETARY AND GOVERN^R OF Y^E PROVINCE OF PENNSYLVANIA AND Y^E TERRITORIES THEREUNTO BELONGING.

“ To y^e members of y^e Provincial Councill of y^e Province of Pennsylvania & y^e Territories thereunto belonging.

“ Since it hath pleased God so to dispose of me as to call me by his Providence into England and 'y it is requisite that y^e Power I have should be left to maintain & exercise Govern^t for y^e Good of the Province and Territories: To y^e end that y^e People may be sensible of y^e Intire Confidence I have in them w^{ch} which I hope will begett the like in them, to me & mine, I doo hereby committ y^e Power vested in me to you their chosen Provinciall Councill & do hereby Nominate & appoint my Trusty & Loving Friend Thomas Lloyd President of y^e same, he & you to Act & doo all things, that by Law and Charter you may doo for y^e Good of y^e Province, & not to y^e Detriment of me my Heirs & Assigns, which power shall remain as Granted, till further Ord^d. Given at Philadelphia y^e Sixth day of y^e Sixth Month One Thousand Six Hundred & Eighty-four being y^e Thirty-Sixth Year of y^e King's Reign & y^e Fourth of my Government.

“ W.M. PENN.”

On the back of the commission is the following inscription in a different handwriting:

“ Memor^d

“ By the Power within expressed & mentioned I understand y^e use of the executive power cheifly as chuseing officers &c. Intending y^t all law y^t shall or may be made should receive and have my further determination, confirmation and consent or else to be voyd in themselves.

“ Given y^e day of y^e within date on board the Ketch Endeavour.

“ 6th 6th mo. 1684.

“ W.M. PENN.”

A facsimile of the commission and of the memorandum endorsed thereon is appended:

William Penn
of Pennsylvania & Territories

To the Members of the Provincial Council of
Toronto belonging

Since it hath pleased God so to dispose of me as
it is requisite that y^e Power should be left to manage
Provinces & Territories. So y^e order that y^e People may be soon
which I hope will be got the like in them to mind. I
You their chgion Provinciall Council, do hereby Nomine
Thomas Loyd President of y^e same to you to Act &
doe for y^e Good of y^e Province & not to y^e detriment of
remain in Grant & till further Ord^g & Given at Phil^{del}
One Thousand Six Hundred Eighty Four being y^e Thir
of my Government

William Penn

Penn Proprietary & Govern^t of^t Province
sylvania & Territories thereunto belonging

Provincial Council of^t Province of Pennsylvania & Territories
unto belonging

to to disposo^t of me as to call me by his Providence into England & y
& should be left to maintain & exercis^t Govrnt for y^t Good of the
Peop^l may be sensible of y^t Justice Confidence I have in them w^t
them to me & mind I do hereby committ^t Power vaste^t in me to
ill I do hereby Nominate & appoint my Trusty & Loving Friend
as his & you to Act & do all things that by Law & Charter you may
not to y^t Discre^t of me my Hons^t & Signos^t which power shall
be & Given at Philadelphia y^t Sixt^h day of y^t Month March
Eighty Four being y^t Thirt^y Sixth Year of y^t King^s Reign & y^t soule

Memorandum.

By the Power
mentioned in
the Speciale

Acte of 1684
may be made
above my signature
else to be very
given Day of
on board the

6th 6th mo: 1684

Memor.

By the Power w^{ch} I have expressed &
entitled I now stand w^{ch} use of
the executive power chiefly & chusing officers
lending yt all laws y^t shall or
ay be made shoul^d receive and
ve my far the determination con-
nassant. Consent or
to be voy^d in themselves.
on 1st day of J^u with the date
board the 2nd and a row -

6th 6th mo: 1684

W^m Penn